WEEKLY ARIZONA MINER: PRESCOTT, JULY 20, 1872.



Prescott, Arizona.

Trial of Richard M. Hargrave, for the Murder of Ygnacio Rubio.

An event of great importance has happened in Arizona; -the first of the kind, we believe, that has occurred here since the soil of Arizona became American,-and, in all probability, the first of the kind that has ever taken place here under any other law or flag save ours. And this event, we firmly believe, will have a lasting effect for good upon the citizens of the Territory,-especially upon the evil-disposed, inasmuch as, owing to a brave, honest performance of duty, law-abiding citizens have acted so as to stances come up for judgment.

And this event is no more nor no less than the speedy arrest, trial, conviction and senthe same day. Dr. Kendall was called, and demonstration from defendant toward Hoptence to death of a man for the crime of he and his clerk came. I did not see the kins in the saloon. murder. True, Prescott and vicinity have, heretofore, furnished a jury that brought in a verdict, "guilty of murder," against a the same pattern). I handed the gun to fifteen minutes after he left the house. cold-blooded assassin, who, owing, it is be- Dennis and he delivered it to St. James, the lieved to the connivance of persons friendly Deputy Sheriff. The gun I gave to Dennis I deceased-do not know what he was doing to him,-whether from a fellow-feeling or a desire to punish community and thwart the ends of justice,-we know not-made good soon after his conviction and before sentence I saw him he was at the corner where I took could be passed upon him. We allude, of the gun from him. There was no person ex- any other shot than the one in the house. course, to the fellow Wainright.

case-" Territory of Arizona against Richard M. Hargrave (indicted as Martin Hargraye.)" It is necessary for us to repeat what we have in jail. The District Court of the Second place, and the first Grand Jury having been dismissed, another Grand Jury was called by the Judge-Hon. C. A. Tweed-which latter Grand Jury went to work with a will. and on Wednesday evening, July 3, finished its labors by indicting Hargrave for the

citizens J. Goldstein, John Reese, J. L. Hill, Wm. Cole, Robert Stubblefield, T. Stonehouse, T. W. Simmons, Geo. Becker, Chas. Dickinson, S. Z. Pierce, A. H. Prather, and N. C. Sheckles, were sworn in as jurors, to try the case; Judges Wm. J. Berry and John Howard volunteered to defend the pris- After Hopkins had fired I saw the defendant morning,-he was still living. That was the

All and everything being in readiness, on of my scabbard." Tuesday, the prisoner was escorted from adduced from the respective persons:

About 3 o'clock on the morning of July 1st I was called to see a man who was wounded, near Moeller's saloon; on superficial examination I found he had received three woundsgun-shot-one wound striking a little to left of spinal column at small of back, passing front part of body about four inches left of its course the mesenteric vein and omentum; ing of defendant. another wound about 21 inches below the one just spoken of, striking the spinal column, then passing downward, coming out of the left buttox. Third wound striking left arm at lower middle of forearm, shattering the long bone, bleeding was profuse, he was taken to Prescott House on another street, where his wounds were dressed and ascetive given and I left him about 4 o'clock in the about half past eight o'clock, In the after- 30 to 50 feet before he fired. noon I held a post mortem examination in Samuel Dennis being sworn, says: -On the

fired. There was but one person (the de- I think there was three.

post mortem examination. (The gun was time of the shooting. I saw the defendant been removed. before the shooting, from ten to twenty minutes, it might have been more than twenty In order to bring up the record of the than I was. I heard the Mexican cry out ed and saw the Mexican limping around, go away," or, "if you don't go away, I'll give wounded. Didn't know who did the shooting, you some." Ygnacio commenced to laugh, recollect what the Mexican, Rubio, said, I until I heard defendant's voice. Could not and shook his hand in front of his face. heretofore stated in these columns; i., c., yesterday. This happened in Prescott, Yav- that was shot. When I heard voice of at half past one o'clock. The language was that on Monday, July, first, Richard M. Har- apai county, Arizona Territory. The last I defendant, it came from the place where de- used immediately after they came. I then grave shot a Mexican named Ygnacio Rubio, saw of the defendant before the shooting, fendant was. Heard the voice immediately went home. was seeing him taking a run up the plaza. after the shooting. Saw the defendant afterwho, soon after died from the wounds inflict The moon was in the last quarter, it was not wards, about twenty feet from Henderson's ed by Hargrave, who was arrested and placed bright enough to recognize a man at a dis- store. He was with Jennings and Dennis, tance. If the defendant had been in the who were taking him to jail. After the firing Judicial District, being in session at this crowd in front of the saloon I would have cased, I went over to see the wounded man. seen him. Before the shooting the defend- Did not see where he was wounded. Rubio ant did not appear to have a gun or a pistol, fell before I left and went with the party at all events he did not have a gun. I do not which was taking defendant to jail. After know from what direction he came to the taking defendat to jail, I went back to the corner. I saw nothing of him until the fir wounded man; was absent five or ten min-

oner he made no resistance, he apprared to was standing near a post of the porch when be very cool. I heard the report of a shot the firing began -staggered 8 or 9 feet back-Shortly after the finding of this indictment, fired inside of the house and the defendant wards and laid down after the firing ceased. came running out and Hopkins was running I could tell the direction of the firing from after him calling out, "Stop, you s of a b the flash. The firing was in the direction of I'll kill you, I'll kill you on sight." I then the wounded man; the muzzle was pointed ran after Hopkins and stopped him, he had a in direction of wounded man. When I repistol elevated in the air, which he fired. I turned, I saw two wounds in back of desaw defendant run in a kind of southerly diceased; they were fresh. We carried the rection up the Plaza. I did not see that the wounded man down to Prescott House. I defendant had any weapon when he ran out. saw him afterwards-about daylight same oner; while the District Attorney, Judge run up this way. This was about twenty last I law of him. Defendant said-when John A. Rush, stood ready to act for the minutes before the shooting by the defendant. going to prison, when Jennings told him he When Hopkins came back he said, "The s- had shot an innocent man, -he was sorry for of a b- I'll kill him, he stole the pistol out it. Defendant said to Jennings: "You heard

his cell, when the following testimony was fore two borses in front of the saloon; he walked a short distance and stopped to put had his hand up but I do not know what he on his shoes; he gave no reason for having was doing. One of the horses was Dennis' them off. I saw defendant frequently that Geo. D. Kendall moorn, says:- I reside in and the other was Hopkins'. I did not see evening, before the shooting. Saw him Prescott, Arizona, am Physician and Surgeon. anything of the affair of Charley Hopkins about twenty minutes before the shooting striking the defendant over the head with outside. the pistol. I do not know that Hopkins | Cross examination-Before the shooting by struck the defendant over the head with a defendant. I heard a muss in the saloon.

By Plaintiff .- When defendant ran out of through to left and downwards, it came out and then up the plaze. I did not see him around and struck defendant and his pistol after that until the shooting. When Hopand one inch below line of navel, severing in kins came back what he said was not in hear-

> By the Court .- Rubio was standing at the horses' heads during the shooting. I did not in the saloon, defendant ran off. I did not see him fall. I believe Rubio's back was towards the place from whence the shooting

By Defendant .- When Hopkins said "Stop you s- of a b- or I'll shoot you," he was within hearing of the defendant. Hopkins morning. On my visiting him again in the appeared to run in a line toward Hargrave, morning he was dead. I went down there with the pistol elevated. Hopkins ran out

direction of balls, in following course of balls night of the 30th of June as I was coming I traced the balls in position as above stated; out of Moeller's saloon I heard not less than this was between four and five o'clock p. m. three shots fired not far off. I heard a man Made examination in professional capacity. hallooing, I turned around and saw him fall I was subpoenced for that purpose by the off the sidewalk. I heard the night-watch-Coroner. The cause of death was from man call me to belp him to arrest some pershock to the nervous system and also hemor- son, when I got to him he took the man's rhage produced by lead bullets or projectiles gun from him and told me to take hold of of same character. Death was produced the man. I told him to give me the gun. from a wound suchas described. The wound I was called upon to arrest defendant Harwhich went through the body-first one grave. I asked him who he was shooting at mentioned-evidently caused death. Second and he said, Charley Hopkins. I told him wound fractured spinal column. Third—in he had not shot Hopkins but a man he did arm—not necessary fatal. First wound was not know. He said if he had shot anyone mortal. I found the man lying, half dead, on else he was sorry for it. When we started Moeller's stoop, in Prescott, Yavapai county, with him for the Sheriff's office he asked to Arizona, on Montezuma street. When I first be allowed to sit down and put on his shoes. saw the wounds they were fresh, no question about that. The wounds must have been inflicted 10 or 15 minutes or 15 or 20 minutes.

After he got his shoes on we brought him over to the Sheriff's office and delivered him by Dennis at the time the defendant was human being without malice express or to St. James. Defendant asked to be allowed and manignant neart.

Man-slaughter is the unlawful killing of a by Dennis at the time the defendant was human being without malice express or implied, and without any mixture of delibersaw the wounds they were fresh, no question After he got his shoes on we brought him Rubio was lying—body on platform, feet and lower portion of legs in the street—he was lying two feet from line of door towards the lying two feet from line of door towards the lower portion of legs in the street—he was lower to go to the photographic gallery for lower to go to the photographic gallery for lower to go to the photographic gallery for lower trying an American, under the flag and stion. It must be voluntary, upon a sudden lower for that was left with me. I had not known the lower from line of door towards the lower trying an American, under the flag and stion. It must be voluntary, upon a sudden lower for the killing of a Mexican lower for the lower trying an American, under the flag and stion. It must be voluntary, upon a sudden lower for the killing of a Mexican lower for the lower trying an American, under the flag and lower to go to the photographic gallery for lower trying an American, under the flag and lower trying an American tr and got my norse and neiped to carry the gun before. I know that it was a gun of parently sufficient to make the passion irre-citizen? Let the recent acts of the Mexican Cross examination—Don't know by whom the words were inflicted.

Win. Jennings being sworn, says:—I live in Prescott, am night watchman, I was standing a little to the south of the door at Post of the south of Prescott, am nightwatchman, I was standing a little to the south of the door at Doc Moeiler's saloon. I found him in range of ler's building; I noticed firing from a gun, and running towards the object that was firing wounds on Rubio—two near the small of the mornings. I do not lodge the mornings. I do not lodge the mornings. I do not lodge the mornings to all bad men everywhere, who

lowed whenever similar deeds and circum- within a few feet of the place in the direct room, when I next saw him it was after the he got. tion of which the gun was pointed. I had shooting occurred. I did not see any weapons him carried down to the Prescott House. I on the person of the defendant previous to saw the corpse of Rubio on the afternoon of this shooting. I did not see any hostile statements. I have no knowledge of the de-Did not see defendant after he went out

here produced in court and witness said that of the house, until after the shooting by dethe gun he took from the defendant was after fendant, which was, as near as I can state, passed between them. At half-past one murder. Cross examination-My horse was by the

took from the defendant, Hargrave, at the there. When I went back my horse had By Court-When Hopkins struck defend-

ant over the head with pistol, think the pishis escape from our jail, county and Territory, minutes but not less than ten. When next tol went off accidentally. Hopkins went out of the saloon after defendant. Didn't hear

utes. He was lying very near where I left Cross examined .- When I arrested the pris- him. I went after Dr. Kendall. Deceased Hopkins say he would shoot me on sight. I When Rubio was shot he was standing be- want you to remember that." Defendant

Defendant had Hopkins' pistol. Moeller wanted them to give their pistols to him. the saloon I saw him run towards Bashford's When Hopkins got his pistol, he turned went off. Hopkins followed defendant out of the door. A great deal of jawing took place after this performance; defendant not present. After Hopkins struck defendant see him any more until he was arrested. Did not see defendant shoot deceased. Don't know who killed deceased. I don't know of any difficulty between defendant and deceased. Defendant did not show any resistance when we were taking him to jail, following Don't know whose horses deceased was standing before; understood them to be Dennis' and Hopkins'.

Direct examination-Defendant, after being struck by Hopkins, ran out of the house. 1 did not see him again until after the shooting, which was about fifteen or twenty minutes after he left the house.

Geo. Tinker being scorn, says-I was present for a moment at the post mortem examination of Rubic. I saw his body at the Prescott House on the first day of July. I saw one wound in the side and one behind. I can not say which side. Dr. Kendall was present. I knew the deceased; his name was Ygnacio Rubio. I knew him nearly a year.

L. B. St. James, being sworn, says : [A gun being here produced in Court. I got a gun from Dennis on the morning of the first of July. Jennings and Dennis delivered the able provocation is given or where all the defendant to me; also, the gun at the same time. Defendant was present at the time the

dant I saw with gun in hand after last shot defendant saying anything as to the result of July, when he was brought under arrest by ing personal violence to any person dwelling was fired. I could not have been more than of the shooting. I saw the defendant in front one or two minutes in getting up to the defendant after the first or second shot was Doc Moeller's saloon not more than ten or untary statement. A few minutes after sur- cide is alleged to have been committed fired. He held the gun in an upright position. The last shot was fired before I reachtion. The last shot was fired before I reachtion. The last shot was fired before I reachting the interval blankets at Cook's. Defendant said he had ed him. I suppose I was ten or fifteen feet in which I did not see him. I cannot say shot a man; it was his intention to have sufficient to excite the fears of a reasonable from the defendant when the last shot was how many shots were fired-there was one- Hopkins for his victim; that when he shot, person, and the party killing, acted under the a man fell, and he was satisfied that it was influence of those fears and not in a spirit of fendant) at the place I saw the firing. I had | Cross Examined .- I did not see the shoot | Hopkins. Whilst we were up in the room revenge. my face towards the firing and I kept my eye ing-I heard a report and saw the flash of getting his blankets, he delayed, and I urged on the man. The gun made a flash and fire arms. Myself, the defendant, and three three a light on the sidewalk.

Or four other men were in the saloon to-man that night. He did not name any hour. and pressing, that in order to save his own When I told the defendant he had shot an gether drinking, we were standing talking When he got back into the office he enquir- life and prevent his receiving great bodily innocent man be said he was sorry. He had his shoes off; he stooped down to get his shoes. He did not give any reason for havshoes. He did not give any reason for havshoes. He did not give any reason for havshoes. He did not give any reason for havscabbard for?" Hopkins made this remark. ing his shoes off; he carried his shoes in his I looked and saw the pistol in defendant's him converse with Dawson in an adjoining slaver had really, and in good faith, endeavhand until between Bashford's and Kendall's, hand I asked Hopkins if that was his pistol, cell. Defendant, at the time of the first ored to decline any further struggle before then he asked me to let him put on his shoes he said it was. I asked the defendant to statement, did not say anything about hav- the mortal blow was given.

and I permitted him. Defendant made a re- give it to me, he did so. Hopkins asked me ing his shoes off. On the morning of the 1st mark, I think, after leaving the sidewalk, to give him the pistol as it was his. I told of July, at 9 o'clock, defendant told a third that he had dosed him well. When I got him I would if he would put it in his scab- party that he felt he would be justified in through with defendant I went back to the bard until we went home. Defendant was shooting Hopkins, and to make the thing corner where the wounded man lay, I found present at that time. Hopkins promised me sure, he had pulled off his shoes and went two men, and the Mexican, Rubio, was laying he would. I gave him the pistol. As he stealthily. He did not say at what distance there wounded. When the Doctor came he was in the act of putting it in the scabbard he was from his victim. Defendant said that, lifted the shirt and found two wounds in the some other words passed, at which Hopkins feeling justified in killing the man, he had vindicate the majesty of written law, and back—they appeared to be fresh and were struck defendant on the head with the pistol gone and got a gun. Did not say where he bleeding. When I came back Rubio was and it went off. The defendant then left the went for the gun. He did not say whose gun

Cross examination-I did not ask the defendant killing a man that night. of B, in Murder.

defendant and Rubio at my game on the evening of the 30th of June. No words and with the intent to commit a felony, it is there. I heard some one fall. Defendant prison. came into the house and walked up to the bar. I was looking up towards the door at this time. The next thing I heard was demanslaughter, and there is a reasonable doubt deem it just and proper to say to you that in fondant ask Dennis to take a drink; they fendant ask Dennis to take a drink; they as to which offence has been committed, he went up to the counter. Next I heard some can be properly convicted of manslaughter fair and impartial trial, and the aid in making your defense of counsel appointed by one say, "You old s-n of a b-. That at- only. tracted my attention. I looked up and saw Charles Brown being sworn, says: I heard defendant shaking his tist at Ygnacio. He only heard him cry out in a moaning way. understand what he said. My attention was Afterwards both of them came to my game This was about three o'clock. I think it called in the direction of the shooting. I saw and sat down side by side. They had no was on Monday morning, a week ago from the flash of the gun. I only noticed the man words then. I saw nothing more. This was

Cross examination-I know of no difficulty between these parties before this. I never have any indication as to the opinion of the as charged in the indictment. I will not pain saw defendant play at my game before that Court as to the facts of this case, they are you nor myself by recapitulating the incinight. I have seen them go together fre- instructed not to allow themselves to be in dents of the homicide or the proofs upon the

James C. Ottis being sworn, says-My name Court. same night the offense was committed. They sumption, whatever, against him. appeared to be perfectly friendly. They In considering whether or not the homi- perish.

name is William Keeler. I live in Prescott, frenzied with passion. Yavapai county Arizona Territory. I knew the defendant and Rubio. I knew the Mexican ever since I came to the country. I knew the defendant three or four months. Knew them both in Prescott. The personal relation between the parties, as far as I know, was friendly. I have seen them laugh and talk as if no hard feelings existed between them. I think I saw them the night of the shooting. I saw them nearly every day. I

Robert Vroman being sworn, says :- My name Robert Vroman .. I live in Prescott, Yavapai county, Arizona. I have been here since faithful and impartial administration of the February last. Know the defendant and Rubio, deceased. Personal relations between charge your duty, gentlemen, that neither the parties, as far as I know, was friendly. The night before the shooting the defendant and the Mexican were in Luke's saloon, doing tricks with cards in my company. I have seen the parties together frequently in the saloons, within the last two or three months. I never saw anything except friendly relations between them.

After the close of the testimony came the

Charge of the Court to the Jury. Gentlemen of the jury, the defendent, Richard M. Hargrave, indicted by the name of Martin Hargrave, is now on trial for the crime of murder, charged to have been com- of our time, labor and space, to giving a demitted by the felonious and unlawful killing tailed statement of the proceedings in this of one Ygnacio Rubio.

Under an indictment for murder, one may be convicted of the crime of man-slaughter if the proof shows the commission of that for us to state, publicly, what all good citi-

being with malice aforethought, either ex- trial, was strongly in favor of seeing justice Expressed malice is that deliberate inten-

tion to take away the life of a fellow creature sure brought to bear upon Judge, witnesses which is manifested by external circumstan- or jurors that might militate against the ces capable of proof. The law implies malice where no consider-

circumstances of the killing show an abandoned and malignant heart.

If a person kill another in self defense, it

If the killing be proved, the burden of proving the circumstances in mitigation, or that, from, childhood, he had been subject to that they justify or excuse the homicide, devolves on the accused, unless the proof on the part of the prosecution sufficiently manifests that the crime committed only amounts to manslaughter, or that the accused was justi- and other places, and that if time were grantfied or excusable in committing the homicide.

kills B by mistake, the grade of the crime is the same as if he had killed A; and if the fendant any questions which drew out the design and endeavor to kill A was unlawful, and with malice aforethought, the killing of B, in the procecution of such design, is

If a homicide is committed in an attempt.

o'clock, I heard scuffling in front of the A felony is a public offence, punishable by house, and I thought there was a fight out death or by imprisonment in the Territorial

If it legally appears that the accused has

In civil cases, the verdict is ordinarily to be The Mexican was nearer to the defendant shooting in front of Moeller's saloon. I lookis different, and the prosecution must prove the defendant's guilt beyond a reasonable doubt, for in criminal cases, the defendant is presumed to be innocent until the contrary be proved, and in case of a reasonable doubt whether his guilt be satisfactorily proved, he Court ruled and charged, on every point, in is entitled to be acquitted.

> harge now given, the jury should think they quently and never saw anything between any degree influenced thereby. The Court trial; but feel-impelled to say that the has no right to indicate to you its opinion proofs in the case fully justified the jury in The Court adjourned until to-morrow at upon the facts, either in the progress of the 10 o'clock A. M., after having given the usual trial, nor in its charge to the jury. The jucharge to the Jury to keep free of and avoid all persons upon the subject of this trial &c. of the sole judges of the facts in the case, but should accept the law as given by the for I am very certain all such hope will be

> is James Ottis. I live in Prescott. 1 am 39 The defendent might have testified in this shown on the trial. I commend you, rather, years old. I knew Rubio, the deceased. I case, had he so chosen, but it is my duty to by humility and penitence, to seek the parhave seen the defendant and Rubio together instruct you that his declining to do so must don and favor of Him Whose mercy is over around the saloons. I saw them together the not be construed by you as raising any pre- all His works, and Who alone can stay, com-

> were both in my saloon. On the night of cide, if any has been proven, was committed the killing. I saw defendant and Rubio drink- with malice and it appear there had been a sentence of the law, which is, "That you be ing togethe.r I asked the defendant and previous provocation, it is proper for the jury be removed hence to the jail or other place of Rubio to take a drink between 12 and 1 to look to the acts and conduct of the secure confinement, and there securely kept o'clock. I newer saw any misunderstanding defendant, if the same be proof in the interim till the day hereafter to be fixed for your between them. As far as I know, the feel- between the time of such provocation execution, and that on that day you be and the killing, and learn whether or not, he hanged by the neck until you are dead;" and William Keeler being sworn, says :- My acted with deliberation and coolness, or was may our common Father have pity and

> duty to perform. Discharge it faithfully, courageously and justly. It is your sworn duty to find your verdict according to the law and evidence; you have no discretion in the matter to do otherwise. If the evidence, according to your best judgment, warrants a conviction, you are not at liberty to by Judge Tweed names Friday, September acquit; if, on the other hand, the proofs do not so warrant a conviction, you are not at never heard of any misunderstanding between liberty to convict the prisoner. The life or executed, should he not, in the meantime, be the liberty of a citizen is hanging on your granted a new trial, or escape from his verdict. So also are the highest interests of keepers. society, which can only be preserved by a law for the punishment of crime. So disthe prisoner on the one hand, nor the community on the other, can rightly accuse you of having failed to act justly and impartially 1864......1872. in the discharge of the high duty to which you have been called.

> > If you find the defendant guilty of murder, your verdict will be, "We, the jury, find the defendant guilty." If of manslaughter, "We, the jury, find the defendant guilty of The Weekly "Arizona Miner," manslaughter." If you acquit the prisoner, your verdict will be, " not guilty." C. A. TWEED, Judge.

And, now, after having devoted so much murder case, which, we hope, will be the last to take place in Prescott, it may not be amiss zens here know to be facts, that, although Murder is the unlawful killing of a human the sentiment of our people throughout this done, come what might, there was no presprisoner; nor would Judge, jury or witnesse, have listened to anything of the sort. And what a glorious trait was this to be developed in American character. And how differwere trying an American, under the flag and shot from defendant. We found three the wounds on Rubio—two near the small of the the firing, it was cleed not not necessary substitute of him and to do the firing, it was cleed not not necessary substitute, the firing it was the defendant the the time have near the place from which the firing was not over the two or the read on the place from which the said the was shooting at Charley Hopkins, as an off at a distance in the place from which the small the was shooting at Charley Hopkins, as an an off at a distance in the place. The time has passed—never, who have the the small of the the mining must be the result of the transmitters as purposed to be irresistable; for if there is should appear to have been an interval been the small o

The hour of ten o'clock, Saturday forese July 13, having arrived, the Judge said: The Sentence.

Richard M. Hargrave :- You were indicted by the Grand Jury, at this present term of this Court, by the name or Martin Hargrare, for the crime of murder, committed by the unlawful killing of Ygnacio Rubio, with malice aforethought, at the county of Yarapai in the Territory of Arizona, on the lst day of July, 1872. To that indictment you plead, not guilty. Upon trial had by a jury also at this present term of this Court the jury found against you a verdict of guilty to charged in the indictment. Have you any legal cause to show why judgment shall not be pronounced against you?

Hargrave, who was sitting in front of the Judge, beside a Deputy Sheriff, now rose to his feet and proceeded to inform the Court epileptic fits; that his mind was demanged: and that he had, at various times, been in carcerated in insane asylums near Cincinnation ed him to communicate with his mother, in If a man designing and attempting to kill A, Ohio, he would be in possession of certificates to prove his assertions and insanity.

After he had ceased speaking, the Judge informed him that the Governor of the Territory would be apprised of his (Hargrare's) assertions, and would, no doubt, pay proper heed to them. Then, in a voice tremulous with emotion, the Judge proceeded, as fol-

No legal cause being shown why judgment should not now be pronounced, it is my duty to declare the judgment and sentence of the law. Before this sentence is declared I the Court, who have labored faithfully in your defense; that throughout the trial and in all the proceedings which have resulted in a verdict against you, the Court has watched with the most earnest care to prevent any thing from being illegally done to your preudice. In all rulings by the Court upon the as far as the law would justify or permit, in If, in the course of this trial, or in the which was not rendered hastily, but after rreat deliberation, was that you were guilty the verdict rendered by them, and I deem it my duty to advise you against any hope for delusive, except for other reasons than any fort and support those who are ready to

mercy upon you as the day of your doom Gentlemen, you have a high and solemn approaches, and in the hour of your supreme trial may he save your soul alive.

CHAS. A. TWEED, Judge of Third Judicial District, Yavapai County.

We will close this sad but lawful record by stating that a warrant issued 6th, as the day upon which Hargrave is to be

PRESCOTT.

(Now in the Ninth Year of its existence,)

Is the Oldest, Largest and Handsomest News paper printed and published in the

Territory of Arizona, And nothing that its proprietors can do in the way of sd-ding to its usefulness, as the

Organ of the White People of Arisona, And the exponent of Truth, Justice and Sound Morality, will be left undone.

Relying, solely, upon the patronage of the honest, hard-working and thinking people of the Territory for a con-tinuance of that support which, in the past, has embled us to publish a creditable, free and independent journal, not trammelled by this or that political schemer, office-seeker, or office-holder, we shall labor, faithfully, to keep the MINER in its old place, at the head of its con

Although the paper is considerably increased in size, he subscription rates remain as before, that is: One Year, \$7 00, Currency. Six Months, 4 00, Three Months, 2 50 J. H. MARION & CO.,

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